



## AMENDMENT TRANSMITTAL LETTER

Docket No.  
06005/35500Application No.  
09/408,028Filing Date  
September 29, 1999Examiner  
Hieu C. LeArt Unit  
2153

Applicant(s): Brent H. Larson, et al.

Invention: DOWNLOADABLE CODE IN A DISTRIBUTED PROCESS CONTROL SYSTEM

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application

The fee has been calculated and is transmitted as shown below.

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## CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	36	- 36 =		x	0.00
Independent Claims	5	- 5 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within second month					400.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					400.00

Technology Center 2100

☒ Large Entity☐ Small Entity☐ No additional fee is required for this amendment.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.☒ A check in the amount of \$ 400.00 to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 13-2855  
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.Scott E. Baxendale

Dated: October 23, 2002

Scott E. Baxendale  
Attorney Reg. No.: 41,605MARSHALL, GERSTEIN & BORUN  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 23, 2002

Signature:

Scott E. Baxendale

(Scott E. Baxendale)



# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 400.00

## Complete if Known

Application Number	09/408,028
Filing Date	September 29, 1999
First Named Inventor	Brent H. Larson et al.
Examiner Name	Hieu C. Le
Group Art Unit	2153
Attorney Docket No.	06005/35500

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number

13-2855

Deposit Account Name

MARSHALL, GERSTEIN & BORUN

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	740	2001	370	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0.00

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
36	-36** =	x	0.00
Independent Claims	5	-5** =	0.00
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	.25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	400	2252	200	Extension for reply within second month	400.00
1253	920	2253	460	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1255	1,960	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,280	2453	640	Petition to revive - unintentional	
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	460	2502	230	Design issue fee	
1503	620	2503	310	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37CFR 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 400.00

### SUBMITTED BY

Name (Print/Type) Scott E. Baxendale

Registration No. (Attorney/Agent)

41,605

### Complete (if applicable)

Telephone (312) 474-9564

Signature

Scott E. Baxendale

Date

October 23, 2002

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*Scott E. Baxendale*  
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Fee Transmittal

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*Scott E. Baxendale*  
(Scott E. Baxendale)

#8/a  
10-31-02  
Docket No.: 06005/35500  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Larson et al.

Application No.: 09/408,028

Group Art Unit: 2153

Filed: September 29, 1999

Examiner: Hiep Le

For: DOWNLOADABLE CODE IN A  
DISTRIBUTED PROCESS CONTROL  
SYSTEM

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**AMENDMENT IN RESPONSE TO THE OFFICE ACTION**  
**DATED MAY 23, 2002**

Commissioner of Patents  
Washington, D.C. 20231

Sir:

This amendment is being submitted in response to the Office action dated May 23, 2002. Applicants hereby request a two-month extension of time to respond to the Office action. This response is therefore timely filed within the extended period of response. This amendment is accompanied by a Petition for a Two-Month Extension of Time and a check in the amount of \$400.00 for the requisite petition fee. Applicants respectfully request reconsideration of the application in view of the following amendments and remarks. A marked up version of the amendments made to the claims are provided as an appendix hereto entitled "Marked-Up Version of Claims Showing Changes Being Made."

Please amend the above-identified application as follows: